New-York Daily Times.

VOL. V.....NO. 1450. NEW-YORK, MONDAY, MAY 12, 1856. PRICE TWO CENTS

surprise; and if his power should fail, he pocketed the bones of Lexington to his reminiscences.

Major Buford's speech was very poor; he was greatly excelled by a member of his company named Baker, who is really an able speaker, and who remains in Lexington to-day, *Sunday, for the occasion.*

The company received a contribution of five thousand dollars in Mobile, on leaving.

When the company arrived in Kansas City, they were mustered and treated to a new batch of speeches, in which they were exhorted to go to Lawrence and avenge the death of Jones; it being then supposed that he was dead.

But after all these terrifying details, it may be necessary to know what this enterprise does not propose in itself the elements of success. The standard of personal character and physical power among the members, is low. After all the Southern talk about Yankee paupers, what do you think of a member of the famous runaway barring of a New-Yorker a drink to pay for a drink? and another asking of the last dram of the hotel in Kansas for a piece of bread and meat which he was not able to pay for!

Nor is the organization practical. They are made to sign an agreement so stringent as to be extremely distasteful. The plan is, for each one to purchase a quarter-section, for which Buford is to pay and receive one-half the land. This is clearly illegal—the preemption oath preventing any such understanding. Already members of the company are preparing to back out.

Now, how easy for the North to turn all this to advantage. A great many of the men already say they shall go back after the next election. Many more will become Free State men; *and if Northern capital is only at hand here* to loan them when the land comes in market, they can snap their fingers at Maj. Buford and keep their whole quarter section in a strictly legal manner.

But to do this, the North must be alive. And here let me say, that one of the first objects of those who have at heart the good of the cause, should be to *provide an ample fund*, out of which Free State men may loan wherewith to pay for their claims; for unless this is done, if the lands come soon into market, they will in a majority of cases fall *through* poverty (having spent their means in staying thus long,) to secure their claims, which will be snatched up by Pro-Slavery men, *who have no lack of funds.*

LITERAL.

Proceedings of the Congressional Committee.

From our own Reporter.

FIRST DAY.

TESTIMONY OF JORDAN DAVIDSON.

TUESDAY, April 29.—*Mr. Jordan Davidson* was sworn, and being examined, testified as follows: Came to Kansas from Missouri to vote; understood Reeder had resigned; went to vote as he came; knew the arguments were given us; intended to vote first and then let others vote; don't know of any one who came and voted Free State ticket and returned; saw some returning who did not like the Territory; did not hear them say much about elections; some said they did not vote; don't know of Pomeroy arriving on day of election with voters from the East; the Free-State men voted; I don't think any were detained from voting; don't know of any voters being brought in by Aid Company; Bond was the only one prevented from voting that I know of; I was thirty yards from trouble with Bond; did not see much of it.

Cross-examined by Stringfellow.—Did not understand Reeder had brought in voters from the East; heard he had made use thereof; understood that the voters could come in; other inducements were to extend Slavery into Kansas; our people who came thought they had the right; I censured myself they had a right; I was not at election last Fall; was not here in '54; there is a secret society to extend Slavery into Kansas; society called by various names—"Social Band," "Friends' Society," "Blue Lodge," "Sons of the South," by others; don't know as I know what it is by properly called; have been at a meeting or two; have never been to any meetings in Territory; have seen no books in this Territory; it was formed some time in the latter part of 1854, probably; have not got a copy of its Constitution—have 500 copies of its ritual; don't know as there is a Constitution; think written minutes are kept of proceedings; they are commanded to be governed by law; there is no compulsion in it beyond law; we are to extend Slavery into Kansas according to law; we have signs and pass-words by which we know each other; a man who belonged to the Order was not compelled to come into the Territory; the vote's object was to extend Slavery into Kansas; and unite all the friends of Slavery for that purpose; am told it exists in other States as well as Missouri; am told by some one who belonged to said society in Virginia; he may have joined it in Missouri; exists probably in Kentucky, Tennessee, and Arkansas; don't know from personal knowledge that it exists out of Missouri; was first in Lodge latter part of February, 1855, at Pleasant Hill, Cass County. This society was used as a means to concentrate a body of men on the 30th of March, 1855; its object was to protect ourselves against each other, so if we got into trouble we might know each other and not fall afoul of one another; considered it was a good chance to come and vote; don't know that it was lawful, thought it was right; don't know of any Anti-Slavery men who came into the Territory on purpose to vote; signs and passwords were not known by more than one-quarter of the friends of the society; they could tie a ribbon in their coat and be protected; it was used as a means of understanding each other; at any rate, they were worn to find out all they could from the other party; expenses were sent and received concerning Kansas emigration and elections by this society; committees were not appointed in my presence—heard such things talked of; committees were appointed; lodges were used at that period for the purpose of notifying men to come here; don't know as the society had funds collected; don't know as they had a treasurer—they might have had one; don't think that the officers took charge of parties who came here and voted; do not know that they kept agents on boats to note the Northern and Eastern immigration; members of the society are not sworn at the initiation; penalty for violation of rules of secrecy is all the honor a member has; he is liable to stand in society beneath the dignity of a gentleman; nothing was said in the oaths of the Society about the infliction of personal harm; heard Mr. Wade, of Westport, speak of the Society first; don't know who are the founders of the Society; think it originated in Missouri; never heard that it originated in Washington; first Lodge I ever heard of was in Westport; a person who was the general agent to initiate came into Cass County; a man to whom I put some questions, and I answered them; he initiated me; was busy; had no much time to attend to it; visited but few meetings; and don't understand much about it; this agent was from Cass County; Mr. Farmer initiated me; did not see him with any of the parties on the 30th of March; never in any Lodge except Pleasant Hill Lodge; don't recollect the oath precisely; substance of it is not to transcend the bonds of law, and promote by all lawful means the extension of Slavery; never heard any of the leaders say it was unlawful to come over and vote; heard one person in Lodge ask how they could vote in Kansas, if they were not citizens of Kansas Territory lawfully; answer was, we will swear in some how; and if we could not vote no violence was to be used; don't know what time it originated; probably not long back; my conversation with Palmer amounted to his asking me willingness to extend Slavery into Kansas; told him I was; had no talk with him about election at that time; a number of these persons I saw here on the 30th of March, are residents of Kansas; can't tell how many—may have been twenty—may be fifty—but don't know; don't know as any wrong was done during the Society.

Cross examined.—Was one of the officers of election after Benson and Ramsay left on the 30th of March, 1855, at Douglas; was appointed by the people on the ground at the time; was sworn in by Mr. Ellison, one of the Judges; signed an oath sworn to by Ellison; did not sign the oath sworn to by Taylor; don't know as the Judges signed an oath attested by Taylor; recollect Taylor was one of the clerks; the first I recollect of him, I took charge of duplicate papers not sent to Governor's Office; kept these books until the Legislature convened at Pawnee; have not got the books now; books have been destroyed, lost or something, while I was away from home; last November or December, while I was from home, the children got hold of them and lost a part of those I had found; I put away papers containing a list of some of the voters; it was in my father's house; his family was living there; saw it last in January or February, in the same place I put it; I left it, and have never seen them since; I searched for them a few days since and to-day; expected they would be called for; could not find them; expect father used them for shaving paper, not thinking them of much account; asked father if he knew anything about them; he did not; Wanful acted as one of the judges of that election; he was to make the returns; don't know that he made the returns; knew that he took them and started; went part way with him, about five miles; left him at McGee's house; when I left he was making preparations to go on; it was the same day of the election; Mr. Wanful was one of the clerks of the Legislature.

EVIDENCE OF WILLIAM LYONS.

Wm. Lyons—Resided in this District on the 30th of March, 1855; saw a body of strangers encamped at that time; had conversation with Mr. Bailey; he told me he had come over one hundred miles to vote; he said that eight hundred Missourians would vote in that day; and they would not vote in Missouri if they voted here.

Cross examined.—Mr. Bailey said they should not care anything about Slavery in Kansas, were to say that their property in Missouri would be insecure if Kansas should be free; had conversations with others, when I came through the camp, but heard nothing said about the election; they were armed with guns and knives; I voted for Delegate to Congress, in the Fall of '54; saw a great many persons passing the day before electing; they were strangers; I live on the California road, on the way to Douglas; they said they were going to vote; they were from Missouri; not many of them told me so; don't know positively of any Missourians who voted here on that day; suppose there were over 100 who went to Douglass to vote, the place of election; saw some of them returning on the day and some the day after the election; they were strangers to me; but no women, children, nor furniture with them; they were noisy; I lived in this district and voted here; those people surveyed for Whitfield, and for Hill, and some for Whitfield side Hill both.

EVIDENCE OF RAYMOND MUSEY.

Raymond Musey, sworn.—Was at Douglass on 30th of March, at election; saw a large crowd there, and many wagons; got there just as Mr. Mace did; he told me he had come over one hundred miles to vote, and when the Pro-Slavery Party saw that his vote was a Free-State vote they said he should not vote at all; several men took hold of my shoulder and pulled me away; he took hold of me and we were both pulled away together from the poll; they cried out, "Cut his throat;" "tear his d—d heart out of him;" saw one man draw a knife upon him, without doing any injury; saw a man with a lever, trying to pry up a corner of the cabin; others cried out, "Don't do it until you have orders;" saw Ellison come out the cabin with the ballot box in his hand, and cry out, "Hurrah for Missouri!" Ellison was one of the judges; heard Jones (now Sheriff) say he would give the judge five minutes to resign or die; Jones gave one more minute, and they then left; those judges were Ramsey and Burson, both Free-State men; was there when the other judges were appointed; the crowd then commenced voting; saw no Free-State man vote; don't know whether Jones voted that day.

EVIDENCE OF AUGUSTUS WAKEFIELD.

Augustus Wakefield—Came into the Territory on the 1st of May, 1855; settled on Rock Creek, Second District; have resided there ever since; at the election of November, 1854, of the Second District, in connection with census, and find 25 on census on the poll lists; there are names of persons on that list that I know in Missouri; every man outside of these 25 are non-residents; I was a candidate before the people, at the second election, and went through the District and became acquainted with the people.

EVIDENCE OF GEORGE UMBERSON.

George Umberson—Arrived in Kansas on the 24th or 25th of March, 1855; settled in Second District; have resided there ever since; at the election of 30th of March, 1855, about noon, I saw the Judges of Election driven away from the ballot box; went to Mr. Ramsey's house; considerable excitement among the Judges and Clerks of Election and others; Ramsey gave me poll-books, and told me to take care of them; I started for home, was overtaken by eight or ten horsemen, surrounded, and poll-books taken from me by force; Sheriff Jones was one of the party; and he seemed to act as a leader; after they had got the books, they wanted me to go back with them; I objected; I objected, and I must go; one man took me by the collar and said he would shoot me if I did not go; I shook his hand away, and told him to take care of himself; got on where behind Jones, and rode back to Ramsey's; they then called for Judge Wakefield; the Judge objected to coming with them; they told the Judge if he would come no harm should be done him; he finally consented; we then rode to ——'s house where the election was carried on; on our way a man came out of a house, and threatened to cut my throat if I stayed; I stayed; the same man called me to the window, and asked me to vote; adding a Missouri ticket; I refused; I went after that; while riding they threatened Reeder's life, if they got him.

Cross-examined by Mr. Reeder.—We got Judge Wakefield up to the polls and he made a speech to them; they let him go soon after; did not know the people of the Second District there, as I do now; there was many voters there then, than now; since some of them start for Missouri.

EVIDENCE OF WM. H. ROSS.

W. H. Ross sworn.—Came to Kansas November 14, 1854; settled on Switzer Creek, branch of Geary, Seventh District; resided there ever since; was at election on 30th March, a short time; saw on the day before election a large company coming in about 10 o'clock A. M.; I was at Mr. Hoover's; did not count; some came in wagons, some on mules; about fifty wagons, some two and others four horses, about thirty to fifty horsemen; they camped near the polls, on claim of Mr. Prentiss, in the timber; I went home; the next day, about noon, went to the polls; there were quite a number around the polls, and some going away; the men were armed; saw no fixes; don't know how many voters there are in the District; the crowd were all strangers; have seen none of them there since.

Sherman questioned.—Mr. McClure took the census; I was Justice of Peace at that time; Mr. McClure lives in my District.

EVIDENCE OF JAMES R. STEWART.

James R. Stewart—Came into Kansas 4th of November, '54, and settled in the Seventh District; on 29th of March, '55, saw a large number of strangers camped near the place of voting; I passed through the camp and recognized two persons residents of Missouri; I asked them what they were from, they told from Missouri; I asked what they came for, they said to vote; next day, the 30th, went to the polls; two of the Judges appointed did not serve; all were present; Snell and Harvey; Snyder served, with two strangers; the men from the camp voted without being sworn; several of my neighbors paid no attention to the election; they did not vote; the men were armed; a number of them wore badges, and acted as leaders; they supported Strickler for Council, McGee for Assembly; the men left that same evening and said they were going to Lawrence; they returned the same way they came; have not seen them since; there was about three hundred votes polled.

Cross-questioned by Mr. Reeder.—The Free-State men voted without interference; Free-State candidates were Johnson and Rice; Baker nominated himself and got one vote; they had provision and fodder in the camp; brought it with them; after voting they returned on the Santa Fé road towards the East.

EVIDENCE OF A. HORNER.

A. Horner—Came to Kansas 14th November, '54; settled on Switzer Creek; was there 30th March, '55; on the 29th of March a large company, with a large number of wagons, some buggies and horsemen, and camped near the place of voting; the next morning the poll was opened; two of the Judges appointed by the Governor did not serve; don't know whether fear prevented them from acting or not; the crowd elected two others as Judges, and went on voting; at noon adjourned for dinner; saw one of the Judges come out of the house with ballot-box under his arm, and he took it down to the camp of the Missourians; I returned after dinner and got acquainted with one of the crowd, (who was a Dutchman like myself;) he wanted me to vote and asked me to go up to the polls; I asked him if he lived or had a claim in the Territory; he said he did not, and they had come up on a wild goose chase to vote; after voting they all started back to camp, between two and three hundred, all strangers to me; they had their provisions and fodder, and brought it along with them; also, tents and tickets for Strickler and McGee; they came from the East, on Santa Fé road, and returned the same way; they kept the ballot-box in their camp until their return from dinner.

Cross-examined.—I came to Kansas with a Company; my main object was to get a home here; don't know the object of the Association; don't know how it was organized; no pledges were demanded of us; know of no other object of the Association than to assist us in getting homes; attended one or two of their meetings; saw nothing contrary to this.

Cross-examined by Gov. Reeder.—Don't know as this was an organized Company at all; never heard of any person having any thing to do with our Company excepting those who at that time came out; don't know of any man in our Company or out who came out on purpose to vote; there were some taken sick and went back; know of two families who did this; they went back last Fall.

SECOND DAY.

WEDNESDAY, April 30.

EVIDENCE OF MARCUS H. ROSS.

Marcus H. Ross, of Seventh District—Have examined census roll and poll books, of Seventh District, of 30th March; there are 59 votes on the census, 17 of them are on the poll books; there are 284 names on the poll list; 8 legal voters on the poll list are not on the census rolls; 8 of the 8 had been there and built cabins, and were away when the census was taken; 8 are now comers; there were 307 votes cast in our District on Nov. 20, 1854; in my judgment there could not at that time have been more than 25 or 30 resident voters in that District.

EVIDENCE OF JAMES R. STEWART.

James R. Stewart, Seventh District—Aided Mr. Ross in examining census rolls and poll books and concur in the testimony given by him.

EVIDENCE OF ISAAC B. WYER.

I. B. Wyer, Seventh District, called and sworn—Moved into Territory 1st October, 1854; resided in Seventh District ever since; was at home 30th March, 1855; there was a large camp containing over 300 men just across the creek from my house; was in the house after provisions previous to election, and driving teams right before; wanted to buy some; there were but few or four in there whom I could recognize as residents of the District; they were all armed; they brought their provisions and fodder with them; some slept in tents and some in wagons; had some conversation with them; they said they were from Missouri, and came out on purpose to vote; one man told me he was disappointed; he expected to find more Yankees than he saw, and thought too many had come; I was in the house and about the door when they voted all day; the election was held at my house; some of them restricted that day, others the next; have seen some of them since, passing through our District and came in Missouri.

Cross examined.—They said they came to vote because they heard many people from the East were coming out to vote to make it a Free State; I came from Iowa; I am well acquainted in the District; was one of the first settlers; should not think that of that time there were over twenty-five resident voters in the District; I don't know of any Pottawattamie Indians who came and voted and returned; I did not trouble myself much about politics at that time, as I wished to remain neutral.

EVIDENCE OF ALLISON SMITH.

Allison Smith, sworn.—Came to Santa Fé (Seventh District) day before the election of 30th March, 1855; was last from Kansas City, Mo.; believe that I came from Missouri; saw notices of a election, and came to vote; was not asked to vote; arrived with my family; I was an unbiased person from the place where persons were encamped; was at the polls next day; saw persons at the polls whom I supposed were from the camp; had conversation with a person said to be a leading man among them; he said they came there to vote; I asked him what the shooting was about the other night the Greek; he said he guessed it was only the boys firing at a mark; I told him they were making considerable noise, and the women were frightened; he said he would vouch for anything they might do; after the election I saw many of these men in camp.

Cross-examined.—I made my claim in that District the Fall before; was considerable passing there during the Winter; I asked them why they voted; they said they had claims in the Territory; I don't know anything of a secret military organization in Kansas.

By Mr. Howard.—I think I voted that day; things did not just suit me, and I did not charge my mind with it.

Robert Harvey called and sworn.—Resides in the Territory; in this district; I was in Kansas City 1st October last; started from there about 9 o'clock A. M., with a load of goods; was assisted; I should think by about forty or fifty people within six or eight miles of Westport; I probably was two hours in passing from Westport to this place; on getting by the Gum Spring I don't think any persons passed me; at the Gum Spring there was a crowd of about one hundred people; I did not know any of these people; those who passed me were in wagons and on horseback; Gum Spring is on the Shawnee Reserve, and is in Johnson County.

Cross-examined.—I don't know how far Westport is from the Kansas line; I think about three miles; Westport, I think, would be the place where the people of Gum Spring would trade.

By Mr. Howard.—The residents of Gum Spring are Indians; I understand white people are not permitted to settle there.

EVIDENCE OF WILLIAM JENNIE.

William Jennie called and sworn.—Came into the Territory about middle December, 1854; came into St. Joseph, Mo., in November from Illinois; I am settled upon the Wakarusa, second district, 1¼ miles from Bloomington; on the last day of January, 1855, came with a part of my goods and my oldest son; on the last day of February moved my family there; on the day of the election I saw a wagon with a dog, which passed me before I got to the polls; went into the house; wasn't out much; helped them prepare the poll book; saw a great many persons passing before the door and window; polls were open; persons came and voted; others came and were objected to by my self and others; I am a resident of the Territory; there were on the ground about 30 voters when the first man came forward whose vote was objected to; the Judges would not receive it until he swore he was a resident of the Territory; the crowd outside swore he should vote without swearing; while this was going on a dozen came to vote and were pulled away; tickets were presented to the Judges, and they were told their brains should be blown out if they did not receive the votes of those persons; the Judges, to take away their fears, declared they would receive them; and then would vote; some of the judges, Mr. Ellison, rose and said, receive no votes; I heard a pistol shot; I was sitting down; the shots fired in here in less than five minutes; they tried to overthrow the cabin; at this time Mr. Ellison got the ballot-box; the doors were broken open; Ellison rushed out and cried out hurrah for Missouri; I gathered up some papers and gave them to one of the Judges; the crowd rushed into the cabin; I left the cabin; soon, saw a man come out with some papers in his hand; saw that they were blank papers; I heard Samuel Burson and Ramsey, two of the other Judges, to see if they had come out; found them, and heard a man telling them he would give them five minutes to resign or die; I went into the cabin to see Burson again, and saw a man holding a watch in his hand; I told Burson he had better leave his house; he said he did not want to leave his own house; he finally did with Ramsay and myself; we went, some fifteen in number, to Mr. Ramsay's house; I asked Burson whose the poll books were; I found the poll books in his pocket; he handed them to Mr. Bumbacker; Mr. B. and Mr. R. then went towards their homes; a crowd of men came on horseback and asked where the poll books were; we told them we did not know; they swore they were there—went off and returned again and abused us; Mr. Jones, now Acting Sheriff, was with them, on horseback, with Mr. Bumbacker behind him; about others came after Judge Wakefield; they demanded he should go with them; he consented to go with them after three had promised to protect him against harm; Jones was one of the three; the cry and search was then for Burson; I found him and went away with him; when I returned, the bigger part of the company had gone; Jones, now Sheriff, was the man who was holding the watch and telling him they had five minutes to resign or die; some were there voting when I got back; when they left they went down East; I suppose there were nearly 400 strangers there; have not seen them in the District since; they were well armed, with knives, guns and revolvers; I do not know as any settlers of the District voted.

Cross-examined.—I do not know of any secret military organization in the Territory; know of military companies, whether they are organized or not, can't tell, for I have never been; have seen companies parading here during excitement and trouble; in last October and November, we were here in service to defend ourselves; we were drilled every day then under command of Gen. Robinson and Col. Lane; there were five or six hundred here at that time; some had guns, some rifles, some sharpe's rifles, revolvers, &c.; I brought my army from Illinois with me; cannot tell only from report where other persons got their arms; heard from some of those who were in companies that they got their guns from Mr. Abbott; they paid $3 apiece for them; it is said Mr. Abbott went East and got them; these guns were got for self-defence—to defend our property and our lives against invaders; the most that I know is that Gov. Shannon commanded the party who were brought against us; don't know of any meeting of this body of men to resist the laws of this Territory; don't know of any combination to resist the laws of this Territory; the only reason that I know of why their arms after the Missourians had commenced their invasion; we did not organize to resist Gov. Shannon, but to defend ourselves against the mob of Missourians he brought with him; the purpose of this organization was not to resist the laws of the Territory; was present at the Big Spring Convention; a resolution was introduced to repudiate the laws of the Territory; know of no resolution passed at that meeting and not printed; recommending military organizations; there was nothing done at that meeting but what was published in the report which has been circulated; I have never been at a meeting where there has been a resolution recommending combined resistance to the laws passed.

By Mr. Reeder.—My motive for joining this military organization was for self defence, apprehending depredation of property and life; this neighborhood was invaded by people from Missouri at that time; property was taken and destroyed at that time, so I was informed; a man was murdered at that time; he was one of my nearest neighbors; his name was Thomas Barber; it was said, by the same persons Barber was murdered; these troubles commenced in the latter part of November, and our military organizations were made then; property was burned, cattle killed and stolen, teams were stopped on the highway, and persons taken prisoners when going on their lawful business; these persons were stopped, and depredations committed by people in the Missouri Camp at Wakarusa; boxes were broken open and corn taken by them; this military organization was not got up to resist the execution of any law; Sheriff Jones came in and out of town during this period as he pleased; he was concerned in during the latter part of the invasion; heard Gen. Atchison and other prominent men from Missouri were in that camp; Gen. Stringfellow was a resident of St. Joseph; my means of information are these; I interpreted in the Legislature in 1855, and he resided there then; they talked of getting a military organization at the time of the invasion of the 30th March.

By Col. Woodson.—The resolution found in the report of the proceedings of the Big Spring Convention was then read and passed; this last military organization was not gotten up in consequence of that resolution; and we have no other organization, and I have never known of any other; I don't know of any arms being got upon the recommendation contained in this resolution; we commenced to organize a military company before this resolution was passed, but it fell through; our military organization was formed, but it fell through; our military organization was formed, but it fell through; our military organization was form

The Execution of the Dauphin Priest-politico.

The following is a translation of the Protocoll of the Execution of the Priest, Raimund Dauphin, which took place at Cologne on the 21st of February, 1873, in the presence of a Commissioner of the Government, as also of the Executioner and his Assistants, and of a number of Citizens specially invited to witness the same.

The said Priest, Raimund Dauphin, was born at Cologne on the 3d of March, 1823, and was therefore at the time of his execution 49 years, 11 months and 18 days old. He was the son of Peter Dauphin, a Cologne Tailor, and his wife Gertrude, nee Schmidt, and was baptized in the Church of St. Ursula, in Cologne, on the 4th of March, 1823, by the Priest Johann Baptist Schmidt, and received the name of Raimund. He was educated at the Gymnasium of Cologne, and afterwards studied Theology at the University of Bonn, where he was ordained Priest in the year 1847. He was then appointed Curate of the Church of St. Ursula, in Cologne, and remained in that position until the year 1850, when he was appointed Professor of Theology at the Seminary of Treves. He remained in that position until the year 1860, when he was appointed Professor of Theology at the University of Bonn, which position he held until the year 1870, when he was appointed Professor of Theology at the University of Munich, which position he held until the time of his arrest, on the 15th of November, 1872. He was married in the year 1850 to Elizabeth Schmidt, daughter of Johann Schmidt, a Cologne Merchant, and has had by her seven children, of whom five are still living.

The said Raimund Dauphin was arrested on the charge of High Treason, and was confined in the Prison of the Archiepiscopal Palace at Cologne, where he remained until the time of his execution. He was tried by a Court composed of Judges Hermann Schulze, Friedrich Müller, Wilhelm Bauer, Ludwig Hoffmann and Heinrich Schwarz, and was found guilty of High Treason, and sentenced to death by hanging. The sentence was confirmed by the Supreme Court at Berlin, and was duly communicated to the prisoner on the 20th of February, 1873, at 6 o'clock P. M., by the Commissioner of the Court, Dr. Wilhelm Hoffmann. The prisoner received the communication with perfect composure, and requested that the execution might take place on the following morning, as he was anxious to get the matter over with as soon as possible. He was then left alone with his confessor, Father Ignatius Loyola, of the Society of Jesus, and remained in prayer with him until 5 o'clock A. M., when he received the Holy Communion, and requested that the execution might take place at once. He was then shaved and his hair cut short, and was dressed in a suit of black clothes, consisting of a coat, vest and pantaloons, and a white cravat. He then ate a hearty breakfast, and drank a bottle of wine, and at 6 o'clock A. M. he was informed that the Executioner was waiting for him. He then left his cell, accompanied by his confessor, and walked with a firm step to the place of execution, which was in the courtyard of the Prison. He ascended the scaffold without assistance, and requested that he might be allowed to address a few words to the people. This request was granted, and he then said:

"I am about to die for my religious convictions, and I am glad that I am permitted to do so. I have always been a faithful son of the Church, and I have always endeavored to do my duty as a Priest of God. I have taught the truth as it is in Jesus, and I have endeavored to lead my people in the way of righteousness. I am now about to appear before my Maker, and I trust that He will receive me into His Kingdom. I have no ill will against any one, and I forgive all my enemies, and I hope that they will forgive me. I have nothing more to say, except that I die in the Holy Catholic Faith, and that I trust in the merits of Jesus Christ for my salvation. I am ready to die, and I request that you proceed with the execution."

The Executioner then bandaged the eyes of the prisoner, and bound his hands behind him, and then led him to the fatal spot, where he was placed under the gallows. The Executioner then adjusted the rope around his neck, and then sprung the trap, and the prisoner fell through the opening, and was instantly killed. He remained hanging for the space of half an hour, when he was cut down, and his body was delivered to his friends for burial.

Destruction of Hamburg by Fire.

Terrible Scenes and Incidents—Loss of Life and Property.

Progress of the Conflagration.

Appeals for Assistance.

Help Coming from Every Quarter.

Hamburg Almost Destroyed.

Thousands Rendered Homeless.

Loss of Life Estimated at Many Hundreds.

Property Worth Millions Destroyed.

Appalling Scenes of Suffering and Misery.

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chair at him; deceased threw it, or something of that description, back at Herbert; deceased, full up the room. Herbert following him; Pat Keating met them, and then commenced a scuffle; another gentleman came up and struck at Herbert with a chair; witness heard the report of a pistol; before he left the room; heard but one shot fired; the parties were all in a scuffle together when the pistol was fired.

The United States evidence was here concluded. Mr. Du Bois, the Minister from the Netherlands, who had been summoned, not being present.

EVIDENCE FOR THE DEFENCE.

Col. McKay was sworn for the defence: Was sitting in the rooms of the entrance-room of the hotel; heard a crash of chinaware, followed by a falling of something as of chairs; supposed at first it was a table upset; heard another crash, which induced him to go into the dining-room; he walked up the dining-room some seven or eight feet, and saw six or eight persons engaged in a scuffle; supposed at first it was a general fight among the hotel servants, and was about retiring; he saw Mr. Gardner crossing the hall; one of the servants seized a chair and struck Mr. Gardner, knocking him down; in the act of his rising a plate or dish was flung at him, he dodged the blow, and caught it on his hand; witness saw three men striking one man, whom he did not at first recognize, but afterwards ascertained was Mr. Herbert; the deceased held Herbert by the right arm, a man in the rear held him by the left arm, while another of the servants struck Mr. Herbert with a chair, and the chair breaking, seized a second chair; Herbert's arms at this time were pinioned; witness seized a chair to defend Herbert, who was being beaten by three men; the three were evidently endeavoring to hustle Herbert out of a side door; by the time witness got within six paces he heard a pistol fired; Herbert was fairly beaten down in a crouching position; witness did not recognize Herbert until after the pistol was discharged; the deceased retired between the tables; after the firing he got Herbert away, and went with him to a magistrate, when Herbert delivered himself up; at the time of the shot Herbert was in a crouching position, and must have fired upward; the deceased had hold of Herbert in front, the brother of deceased had hold of him from behind, and another servant was striking Herbert with a chair; was positive that the pistol was fired over the parties' heads in the scuffling; witness saw the pistol; it was a single-barrel pistol, what is called a Duninger pistol; Herbert had no other pistol about him, and Gardiner had none; most positively only one shot was fired.

Capt. A. J. Smith, sworn: Was at Willard's at the time of the affray; heard crockery breaking and saw a confusion of people; heard a pistol; when he got to the door saw Mr. Herbert in conflict with four of five persons, some striking him on the head as witness thought, with plates; witness went down and peremptorily demanded that they should let him alone; as he was going in he saw the deceased with this hand to his breast; witness passed Col. McKay who was standing with a cocked pistol in his hand.

Hon. James Bishop, sworn: Was going into Willard's, about 11 o'clock A. M., and as he passed the dining-room he heard a rapping upon the table that induced him to look in, and he saw Herbert seated at table with two gentlemen; witness passed to the office to inquire for a gentleman, and while there heard a fracas in the dining-room; witness entered the room, and saw Herbert engaged with three or four persons, who were pressing upon him and appeared to be beating him; witness hurried towards them, and when half way in heard the report of a pistol; Herbert seemed overpowered by numbers, and other servants were rushing to the spot with uplifted chairs; witness knew none of parties except Herbert; after the shot, the parties seemed to scatter, and Mr. Herbert staggered out of the room, apparently much exhausted; he heard but one pistol; the report of the pistol was heard while the *melée* was going on, and while Mr. Herbert was being pressed down; he noticed blood on Herbert's cheek; could not swear positively as to the position of Mr. Herbert at the precise moment the pistol was fired; his decided impression was that the cook could not have separated Herbert and Pat. Keating prior to the firing of the pistol.

Captain Blandy sworn: Was standing in company with General Persifer Smith by the office of the hotel, at the time of the affray; went to the dining-room and saw crockery flying, and several persons engaged in a violent struggle; the persons were so bent down that we could not see distinctly who they were. He afterwards ascertained that the person bent down was Mr. Herbert; witness saw Herbert pressed down in this way at the time the pistol was fired.

Captain Dupont was sworn, and gave evidence confirmatory of the above.

The examination now having occupied from 4 o'clock, P. M., to 9¼ P. M., was adjourned until this afternoon at 4½ P. M., the prisoner being held, meanwhile, in the custody of the United States Marshal.

SECOND DAY.

MAY 9.—On resuming the examination, Mr. Key stated that, as Foreign Ministers were not liable to be summoned as witnesses, he had made an application to the Secretary of State to request the attendance of Mr. Dubois, the recently accredited Minister from the Netherlands, who had been present at the occurrence, as a witness in the case. Mr. Key read a note from Mr. Marcy, stating that he had addressed Mr. Dubois on the subject, who had deferred acceding to the request, desiring first to consult with other members of the diplomatic corps. The Secretary suggested that it was probable that Mr. Dubois would give a definite answer to-morrow or the succeeding day. Mr. Key, therefore, asked a postponement of the case until such time as he might be enabled to obtain the testimony sought.

The motion was opposed by the counsel for the defence and advocated by Mr. Key, when the Justices refused the postponement and ordered the case to proceed.

Arnold Harris, sworn for defence: Was at Willard's on the morning of the affray; was sitting upon a sofa near the office, at the west end of the hall, with a friend, when hearing a noise in the dining-room, he supposed at first that a table had been upset, but seeing some persons hurrying towards the door of the dining-room, he remarked to his friend that "there was a row there," and they proceeded leisurely to the dining-room; on entering the door he saw a large crowd of people at the further end of the room engaged in a struggle, did not know at that time who the parties were; saw several, perhaps three or four upon one man; another man was standing near by with a chair, with which he struck down one of these persons, and the person struck, he thought, had a knife in his hand; can identify the person who used the chair, but not the person who, he thought, had a knife; about that time, and when he had advanced about a third of the way down the room, he heard a pistol fired; witness then recognized Mr. Herbert and went to him; Herbert was supported upon two sides by two persons whom witness did not know; his face was bloody and he appeared very much exhausted; witness considered the struggle a desperate one; Herbert, he thought, was in a recumbent position when the pistol was fired; witness could not say if the person he supposed to have a knife was a bearer to the gentleman who struck with the chair he afterwards learned was Mr. Gardiner; he thinks it was owing to Herbert's recumbent position that he (witness) did not recognize Herbert before he emerged from the crowd; a dozen persons were engaged in the scuffle; Gardiner was standing with the chair in his hand using it very actively; Herbert was bareheaded when he left the room; could not say if any knives or plates were used in the struggle; heard the pistol shot while the fray was going on; heard but one shot; did not see deceased shot.

John E. Reynolds sworn—He is an invalid, and gave his evidence seated in a chair; was passing the dining-room door at Willards' about 11 o'clock; heard a noise in the dining-room and entered; he first saw five or six persons, all cold; two or three were engaged in a fight; did not know any of the parties; and thought, at first, it was a fight between some of the boarders; afterwards, during the contest, he distinguished several persons dressed in short jackets struggling with one man whom he supposed to be a boarder. This man, whom he afterwards ascertained to be Herbert, appeared to witness to be borne down, and to be receiving pretty hard usage; the struggle continued some time, during which no one seemed to go to Herbert's rescue, and in the meantime chairs were used; the persons engaged with Herbert pressed him to the side of the room some fifteen yards; witness advanced towards Herbert and saw a man, who he took to be a friend of Herbert's, strike a waiter on the head with a chair; about the same time he heard the report of a pistol, the struggle still continuing without interruption; the parties did not separate before the pistol was fired; witness thought Herbert was in a stooping position, pressed towards the wall, when the pistol was discharged; was of the impression that the striking with the chair caused the separation; the impulse of witness was to rush to the assistance of Herbert, but was prevented by the state of his health.

Wm. A. Gardiner, sworn: Went to breakfast in company with Herbert between ten and eleven o'clock on the morning of the affray; took a seat at the same table with Herbert; the table was the first or second one on the right hand side going in; Herbert ordered breakfast, and they walked as it seemed to him some twenty minutes, but he was hungry and it might not have been so long; the boy came back and witness understood him to say that he could not get any breakfast for them; Herbert then called the boy a d—d rascal, and told him to go off and get some breakfast; the deceased then walked up to the table, and it was evident by his manner that he was displeased at what Herbert had said; Herbert said to him, "you go away from here, or get us some breakfast or words to that effect, without which deceased replied that "he wouldn't do it," but does not recollect; Herbert told him to go away, a d—d scoundrel, or he would kill him a waiter stepped around the table, and picked up a silver plate and a china plate, and said to Herbert, "you are a d—d son of a bitch," at this time the waiters were getting around pretty thick, and Herbert threw a chair, and waiter threw a plate, but whether china or silver, witness could not say, as he was engaged about that time pretty busily himself; couldn't say whether the chair or plate was thrown first, but thinks both were thrown about the same time; for a little while his attention was occupied by some waiters who had come up behind him, but as fast as he could get rid of them he tried to make his way to Herbert; does not recollect if his spectacles was knocked down, but if he was, he didn't stay down long; the last man he knocked down on his way to Herbert he

something in his hand, but whether it was a knife or not, witness could not say; at the commencement of the difficulty, when Herbert first spoke to the deceased, he took out his pistol and walked towards deceased; deceased walked away, and Herbert returned to his seat and put up his pistol; the pistol belonged to witness, and was a single-barrelled pistol; witness indeed took Herbert's pistol, as he thought it was his possession; Herbert had taken this pistol from his room on Tuesday or Wednesday night; could not say if Herbert was in a best position when the pistol was fired; the spot where the pistol was fired was twenty steps from where they had been seated at the breakfast table; when witness reached Herbert two men had hold of Herbert and another was striking him; witness came away from Willard's; they came out at the front door; Herbert had a little blood on his nose; was much exhausted.

Major Graham, sworn: Knew the pistol used by Herbert; it was a single barrel pistol, and belonged to Gardiner; on the night previous to the affray Herbert came in, while witness was lying upon the bed, and, picking the pistol up, said, "I believe I will take this along with me," and, putting it in his coat pocket, walked out; Herbert did not return until the next morning; had seen the pistol since, that was used at the affray, and it was the same pistol; witness had known Herbert for several years; he was a quiet and peaceable man, except when a little aroused by passion.

The testimony for the defence rested here.

The counsel for the defence, viz: Messrs. Bradley, Weller, Phillips, and Percy Walker, urged the acquittal of the accused, which was opposed by the District Attorney.

Justices Smith and Birch, after consultation, announced that they would render their decision at 10 o'clock on Saturday.

The Decision of the Magistrates.

[BY TELEGRAPH.]

WASHINGTON, Saturday, May 10.

Justices SMITH and BIRCH delivered their decision this morning in the case of HERBERT. They say: "After a careful examination of the evidence, we feel it to be a duty we owe alike to the defendant and to Government—that the ends of justice may be fully met—to send this matter to the Criminal Court of this District—that tribunal being, as we conceive, the proper one to grant or refuse the application of the defendant for discharge. As to the application for bail we are divided in opinion, and we therefore commit the defendant to the custody of the Marshal, until he be discharged by due course of law."

Mr. HERBERT was brought before Judge CRAWFORD this afternoon, on a writ of *habeas corpus*, his counsel praying for his discharge. The examination of witnesses occupied seven hours, but the testimony is about the same as that delivered before the police magistrates. The Judge will give his decision on Monday. The understanding with both parties is that the Minister for the Netherlands may then be examined, should he assent to the request to appear as a witness.

MARKET REPORTS.

Markets,...*Carefully reported for N. Y. Daily Times.*

SATURDAY, May 19—6 P. M.

ASHES—Are in better request; sales are steady at $7 62½ for Pearls, and $6 50@$6 56½ for Pots, $100 lbs. Receipts limited and stock light.

COFFEE—Is quiet yet stiffly held. The wet weather is against a lively trade.

COTTON—The inquiry is good, and prices favor faster; Middling Uplands, 10⅞c.; Mic., Orleans do., 11½c. Callico is unaltered as proportionate rates.

FLOUR AND MEAL—The market for State and Western Flour is quiet, but is pretty firm. The stormy weather and the absence of the *America's* mails impede operations. The Home demand is moderate, but there prevails only a very slight export inquiry, and operations are restricted. The receipts are light, and the supply by vessels augmentation. Prices appear about the same. The sales since our last have reached about 7,400 bbls., in lots, mainly at prices within the annexed range:

Superfine No. 2	$4 03½@$4 25
Ordinary State	5 87½@ 5 50
Round-hoop State	5 06¼@ 5 43¾
Favorite and Extra	5 03¾@ 5 25
Common to good Michigan	5 12½@ 5 50
Common to good Indiana and Upper Lake	5 50 @ 5 87½
Common to Good Ohio	5 62½@ 6 00
Fancy Michigan	5 62½@ 6 75
Fancy Ohio	6 75@ 6 25
Extra Michigan	6 87½@ 7 25
Extra Indiana and Wisconsin	6 00 @ 6 50
Extra Ohio	6 25 @ 6 50
Fancy Genesee	6 25 @ 6 50
Extra Genesee	6 00 @ 6 75
Extra Missouri	6 75 @ 10 00

Canadian is unchanged, the sales since our last having amounted to only about 750 bbls. Superfine to best Extra at $6 87½@$8 25 ₩ bbl. Southern is dull and heavy. The sales since our last amount to 1,000 bbls. Mixed to fancy and best Extra at $6 and $10 50 ₩ bbl. Rye Flour is abundant and sparingly bought. $6 06@$6 75 for Fine and Superfine ₩ bbl. Corn Meal is selling in a retail way at $4 06@$4 12½ for Jersey and Baltimore, and $3 87½ for Pennsylvania, ₩ bbl.

FRUIT—Raisins are less freely offered and are now in request at $3 03½@$3 75 for Layer, $2 25@$2 87½ for Bunch. Prunes: Smaller parcels in proportionate prices. Other dried fruits are unchanged.

GRAIN—Wheat, of desirable quality, is scarce and wanted. Common descriptions are dull and heavy, not being in much request. The sales since our last embrace 7,900 bushels, including Southern White on private terms and poor Canadian White, at $1 45. Rye, Barley, and Oats remain unaltered. Corn is somewhat unsettled. Prime lots are, in a measure, out of market, and are of uncertain value. Inferior parcels are plenty and deteriorating. The demand is good for sound qualities, and moderate for other kinds. The sales since our last comprise about 43,000 bushels, mostly for 84c.@86c. for unsound, heated and damp, 86c.@90c. for Mixed Southern and Jersey, and 90c.@94c. for Southern Yellow and White, the latter varieties being very scarce.

HAIR—Is in good request and firm. Transactions have been quite extensive, as follows: 30,000 lbs mixed Rio Grande, at 27c.; 10,000 lbs mixed Buenos Ayres, at 27½c. and 9,000 lbs. long do. on private terms; all 6 months.

HAY—400 bales Ricer brought 75c.@80c., ₩ 100 lbs.

HOPS—About 80 bales have been sold, at 7c.@9c. ₩ lb.

IRON—Unchanged.

LATHS—Eastern are still at $1 87½ ₩ 1,000. Stock and demand equally moderate.

LEAD—Is not wanted.

LEATHER—Mr. H. D. HULL informs us that this article is coming in more freely, but as the demand is fully equal to the receipts the stock continues about the same. Prices remain firm for all descriptions, and as the manufacturers have but a light stock of leather on hand, and the season for work and trade is fairly setting in, sailing off in prices or demand cannot be looked for very soon. Oak Leather is in active demand, and sells freely at our quotations. Slaughter, in rough, is scarce and wanted.

	Hemlock.	Oak.
Receipts	51,200	7,200
Sales	49,700	6,700
Stock	30,700	5,800

We quote: Oak Slaughter and salted, good Light, 24c.@25c.; do. Middle, 24c.@25c.; do. Heavy, 23.@23.; do Spanish, all weights, 30c.@32c.; Hemlock, Buenos Ayres, &c., Light, 23½c.@25½c.; do. do. Middle, 23c.@25½c.; do. do. Heavy, 21c.@23½c.; do. do. Orinoco, &c., 24½c.@26½c.; do. do. Middle, 23c.@24½c.; do. do. Heavy, 21c.@23c.; do. do., and Buenos Ayres damaged, all weights, 20c.@23½c.; do. do. Poor, all weights, 12c.@15c.; Hemlock Slaughter, in rough, 20½c.@22c., on 6 months' credit.

LIME—Remains as last noticed.

MOLASSES—Is saleable and steady, though the wet weather checks business.

NAVAL STORES—The movements in this line since our last have been quite moderate at unaltered figures.

OILS—The market generally appears quiet, yet tolerably firm.

PROVISIONS—Pork is held higher, but is less inquired for, the sales since our last having been confined to about 900 bbls., in lots, closing irregularly, at $18 12½@$18 37½ for Mess, $16 75@$17 12½ for Prime Mess, and $15 25@$15 50 for Prime, ₩ bbl. Cut Meats are in fair request, and are worth 9¾c.@10½c. for Hams, and 7c.@7¾c. for Shoulders, ₩ lb. Higher quotations are asking for extra smoked, ₩ lb. Bacon continues in light supply and fair demand, at 9½c.@10c., as to quality, ₩ lb. Lard is pretty brisk, and firm, the transactions including 970 bbls. and tcs. Fair to strictly Prime, at 10c.@10½c., and some Prime in kegs, at 11c. Beef is in fair demand but is firm in price. The sales since our last consist of 450 bbls., at $7 50@$8 for Country Prime, $8@$9 50 for do. Mess, and $13 50@$13 75 for repacked do., ₩ bbl. Prime Mess Beef now commands but $15@$15 50 ₩ tc. Beef Hams are in fair demand, and prices are unchanged, at $20@$21 ₩ bbl. Tallow is in good demand, and selling moderately, at 12c.@12¾c. for *Chile*; 12c.@12½c. for Common to very good State; 12½c.@12¾c. for Prime and choice do., ₩ lb. Cheese is in ample supply and quiet, at 6c.@10c. for poor to choice.

RICE—There were 500 tcs. taken at $3 87½@$4 12½, ₩ 100 lbs.

SUGAR—Mr. HULL sums up the week's business, thus: "COAST—The market is dull, as most of manufacturers are well supplied with stock. The stock is moderate, consisting almost entirely of Curacoa Skins, for which a slight decline has been submitted to. DELTA—Are in fair demand for the season, and prices for foreign remain firm [illegible] sales of 3,400 lbs. Dipper at [illegible] at 9¾c.@10c.; 200 bbls. Sun p'nas, at 8½c.; 2,000 lbs. Mexican, supposed at 8¾c. all cash. I quote:

DELTA.	
San Juan	10c.@11c. ₩ lb.
Assortura	9c.@10c. ₩ lb.
Small	9c.@10c. ₩ lb.
Missouri	10c.@12c. ₩ lb.
Texas	9c.@10c. ₩ lb.

COAST.	
Tampico	9c.@10c. ₩ lb.
Curacoa	9c.@10c. ₩ lb.
West Indies	12c.@13c. ₩ lb.
Buenos Ayres	8c.@10c. ₩ lb.

SUGARS—The demand is not very brisk, but factors evince much confidence, and prices are well supported. The sales since our last include 900 hhds. Cuba, &c., in lots, at from 6¾c.@8c., and 500 boxes Havana at 7¾c.@9¼c. ₩ lb.

TALLOW—There were 8,000 lbs. Prime sold at 12¾c.@12¾c. ₩ lb.

TEAS—This day's auction sale was, in most respects, a satisfactory one. We annex a full report:

BY L. M. HOFFMAN & CO.

Imported per *Comte Cleet*. Terms 6 months.

Hyson—1 half chests at 45c.; 29 do. 46c.; 46 do. 50c.; 156 do. 52½c.; 162 do. 57½c.; 7 do. 57c.; 10 do. 56½c.; 15 do. 55c.; 27 do. 54c.

Young Hyson—103 half chests at 47c.; 9 do. 46½c.; 76 do. 46c.; 40 do. 45½c.; 210 do. 45c.; 121 do. 44c.; 40 do. 43c.; 105 do. 42½c.; 45 do. 42c.; 233 do. 37½c.; 151 do. 37c.; 70 do. 34c.; 51 do. 32½c.; 10 do. 32c.; 20 do. 31½c.; 20 do. 31½c.; 100 do. 30½c.; 100 do. 30c.; 50 do. 29½c.; 60 do. 29c.; 50 do. 28½c.; 108 do. 24c.; 35 do. 21½c.; 15 do. 19½c.; 60 do. 17½c.; 66 do. 16½c.; 10 cases do. 45c.; 268 boxes do. 41c.; 272 do. 40c.

Imperial—2 half chests at 46c.; 6 do. 43c.; 13 do. 41c.; 19 do. 40½c.; 10 do. 39c.; 7 do. 37½c.; 14 do. 32½c.; 30 do. 30½c.; 27 do. 29½c.

Gunpowder—10 half chests at 38c.; 33 do. 37½c.; 120 do. 36½c.; 12 do. 44½c.; 51 do. 43c.; 14 do. 41½c.; 37 do. 41c.; 77 do. 34c.; 44 do. 33½c.; 29 cases do. 60c.; 125 boxes do. 55c.; 80 do. 44½c.; 100 do. 46c.

Oolong—43 half chests at 39c.; 37 do. 37½c.; 321 do. 36c.; 38 do. 35c.; 15 do. 30½c.; 16 do. 31c.

Hyson Skin—15 half chests at 25½c.

Souchong—40 chests at 40½c.; 30 do. 38½c.; 200 do. 12½c.; 105 half do. 12½c.; 50 do. 12c.; 125 boxes do. 36½c.

WHISKEY—There were 500 bbls. sold, at 25c.@29½c. ₩ gallon.

FREIGHTS—Pending the receipts of the European

[illegible] the *Andes* to Liverpool, at 7½d. The [illegible] engagements are [illegible] at 7½d. [illegible] 241 tons from Trinidad, Cuba, to Cowes and a market, at 17s.; a Prus brig, 297 tons, from St. John, N. B., to Hull, 24 11s.; a bark, 300 tons, from Cardenas to Boston, 2½c. gold; a bark, 298 tons, from Trinidad, Cuba, to Cowes and a market, at 17s. 6d.; a bark, 299

SUPPORT, MONDAY, MAY 12, 1856.

Kansas Affairs.

We publish this morning some interesting intelligence from Kansas, embracing a Report of the testimony taken before the Congressional Committee of Investigation. This evidence will be read with general interest, as it embodies all the facts upon which the House of Representatives will act in deciding on the conflicting applications of Gov. Reeder and Gen. Whitfield for a seat as Delegate, and upon which, moreover, the public will form a judgment as to the condition of affairs in Kansas. We shall receive, from our own Reporters, regular notes of all the proceedings of this Committee. It will be seen that our special correspondent confirms the views we expressed a few days since,—that all resistance, on the part of the people of Kansas, to the execution of the Territorial laws is hereafter to be regarded and met as resistance to the General Government. This places them in a most embarrassing position, and leaves them no choice but submission, or revolution against Federal authority.

The European Peace.

We publish in full in another column the terms of the treaty on which the future peace of Europe is based. It is impossible to review its provisions without feeling that Russia has received in that section which relates to the neutrality of the Black Sea a humiliation to which nothing but the sternest necessity could have induced her to submit, and from which she will embrace the first opportunity of any new European complications to disenthral herself. There is no other of the European nations, even the smallest, which is not permitted the right of erecting on her own coasts such fortresses and arsenals as she may deem necessary for their protection. By the thirteenth article of this treaty, Russia, however, alone of all countries, is forbidden to either preserve or erect any military or maritime arsenals on a portion of her own soil; and though in peace these, or the article observes, may be unnecessary, yet on occasion of the smallest rupture England can leap from any of her Mediterranean naval depôts in a moment into the Black Sea and carry destruction to Russia's unprotected shores. That a Kingdom like Russia, whose ambition is declared as beyond the ambition of other Powers, should long submit to such a humiliation is not possible. She will chafe daily under her restraint.

So far as Turkey is concerned, the alleged object of the war would appear to be accomplished for all parties. The liberties of the Sultan's Christian subjects, which was Russia's alleged cause of conflict, are nominally guaranteed, while, on the other hand, the object of the Allies is attained in the forbidden, in the ninth article, of all right to any of the Powers, either collectively or individually, to interfere in the relations of the Sultan with his subjects or in the administration of his Empire. Those who are best acquainted with the internal condition of Turkey, however, express an unqualified opinion that the firman in which the new reforms and privileges are embodied, and which is stated to proceed spontaneously from the Sultan's will, can never be carried into practical operation or effect, and that the close of the war will find unhappy Turkey torn by internal dissensions, as bitter and depressing to her prosperity as exterior aggression could be. The London *Times* has, more than once, boldly declared that it would be some years before England and France could relax their grasp of Turkey, and even after the publication of this treaty, we find in it a glimmering of the same feeling in its statements, that while the troops in the Crimea can at once be withdrawn, it will be some time before England would be enabled completely to remove her forces from the Turkish territory. The provisions of the Treaty seem imperative on this head. It remains to be seen whether in granting, in its fullest sense, to Turkey that absolute independence sought for by her friends, Russia has not bequeathed to her a legacy of discord and planted the germ of future European complications and broils. Turkey would seem to be likely to be not less in the future than the past, in the words of an eminent English statesman, Lord Grey, "A perpetual ulcer on the heel of Europe."

☞ The *America's* mails arrived in this City from Boston at a late hour on Saturday night. We make, this morning, copious extracts from our foreign files. Among them will be found two important documents;—one, the treaty of Paris, a synopsis of which has been already telegraphed from Halifax, and the other, a proposed Constitution for the organization of the Danubian Principalities. A graphic account of the late naval review at Spithead, taken from the London *Times* will be read with interest. Lord Palmerston in the House of Commons has given an official explanation of the intended dispatch of ten thousand British troops for Canada. His speech is published elsewhere.

☞ The House of Representatives met on Saturday, for the first Saturday Session since the organization; but nothing was done in the way of public business, that time being occupied in personal explanations touching the Slavery question.

☞ The steamship *Atlantic*, left last Saturday noon from Liverpool, for Boston, has arrived at Sandy Hook at a late hour last night.

Sale of Church Property.

It will be seen by a published card advertising intimates that the Brick Church Property is to be sold at public auction on Wednesday next, under the joint direction of the Trustees of the Church and the Officers of the City Government. The sum of $225,000 is fixed as the minimum price:—and the City is to receive one-fourth of whatever amount it may be sold for. The interest of the City in this property grows out of the fact, that in the deed by which the Church holds it, they are prohibited from devoting it to any "private, secular uses." As the Church is thus restricted in its ownership, and as the City could repossess itself of the property upon a violation of this condition, it has been deemed expedient to obtain the assent of the City Government to the proposed sale, in order that the purchaser may be relieved from the restrictions imposed upon the Church.

The Church has for a long time been desirous of selling this property, in order that with the proceeds of it they might erect a new Church in a more convenient locality. They have repeatedly urged upon the City Authorities their duty to purchase it, and more than a year ago offered to sell it to the City for $300,000. This offer was not accepted nor heeded. The Trustees then made a proposition to the City Authorities to unite with them in offering it for sale at auction,—and agreed, if this should be accepted, to pay the City *one-fourth* of whatever the property might bring, and also that it should not be sold for less than the sum mentioned above. These propositions were accepted in the following terms:

"*Resolved*, (if the Board of Councilmen concur,) That the Common Council accede to the propositions contained in the several resolutions adopted by the Board of Trustees of the Brick Presbyterian Church, and will pass the necessary ordinance to remove the restriction in the grant to said Church, to wit: that the grounds covered by the case shall not be appropriated to private secular uses; and also to carry out, in good faith, the propositions contained in said resolutions, according to the understanding between the Trustees of the Church and the Commissioners of the Sinking Fund, as set forth in the report of the same to the Common Council on the 6th of April, 1853."

In pursuance of this resolution, the Trustees of the Church by a Committee, the Mayor, Comptroller, Chamberlain and Recorder of the City, and the Chairmen of the Finance Committees of the two Boards of the Common Council, constituting the Commissioners of the Sinking Fund, have advertised the property for sale.

On Thursday night the Board of Aldermen adopted a resolution, directing a postponement, and looking to a prohibition, of the sale. The reason assigned for this action was a report that the Trustees of the Church had sold their interest in the property to private individuals, who would use their endeavors to prevent competition at its sale, and that the City would, therefore, receive less money than under other circumstances they would have a right to expect. Even if this were so, we hardly think the City Government would be justified in receding from their agreement with the Trustees,—especially as they had taken the precaution to protect the interest of the City by affixing a minimum price. By that action the City is certain to receive at least $56,250 for *its* interest in the property. But we learn, on inquiry, that the action of the Aldermen was based on a misapprehension. The Trustees have taken no steps which will have the slightest tendency to prevent competition at the sale. All they have done has been to raise money upon the property in anticipation of the sale, which was regarded as certain, for the purpose of going forward at once with the erection of their new Church: and this, instead of preventing competition, makes it not only their interest but that of those from whom the money was obtained, to have the property sold for the largest possible amount; and we understand that several parties are already prepared to enter into competition for its purchase.

What the property is likely to bring we cannot conjecture. It embraces an area of 18,964 square feet,—or a little less than *eight* full lots. As these lots, however, are not regular in shape, and some of them of much less than the ordinary depth, they would probably command for business purposes somewhat less than others equally eligible in the same neighborhood. It is supposed, however, that the ground may be sold or leased to the City or the General Government for some public use;—and that a much larger sum could thus be obtained for it, than for private purposes. We understand that two or three parties are intending to purchase it under this expectation;—and if this be so it is not likely to sell for less than $350,000 or $400,000. If the Board of Councilmen should concur with the Aldermen in annulling the contract to sell, we presume it would be leased for a Post-Office or some other public use:—as for such a disposition of it the consent of the City Government would not be required.

Honorable Brutes!

We publish in full this morning the testimony elicited upon the examination of the *Hon.* Mr. Herbert, Member of Congress from California,—charged with the murder of an Irish servant in the dining-room of his hotel. This homicide has commanded public attention to an unusual extent. It is an event well calculated to excite comment. That Herbert shot Keating, and that he himself commenced the affray, are not denied. The only claim made on his behalf is, that Keating was about to assail him and that he shot him, therefore, in self-defence. The Press, generally, improve the occasion by dwelling upon the very obvious folly and danger of carrying weapons. If Herbert had not been armed, he could not have shot Keating:—and if he had not been a bully and a coward, it is very justly added, he would not have been armed.

All this is very well:—but it is not all the moral to be drawn from this occurrence. It is only one among instances which are constantly occurring, to show that we have blackguards and bullies, instead of gentlemen, in our high places of public trust. That a Member of Congress should go into a public dining-room and use the language employed by Herbert towards a servant, is disgraceful to the civilization of the country. We boast constantly of our superiority over other countries in everything that implies progress and an advanced culture:—pray, what would we say of a Member of the British House of Commons who should say to a waiter at table—which Hiscocks said to Keating,—who should enter into a personal scuffle with a servant in a dining-room,—to say nothing of drawing a pistol and shooting him dead? Our press would teem with denunciations of the barbarism and demoralization of a country where such scenes could happen:—and they would be perfectly just and merited. Yet such things happen here constantly:—and we become highly indignant if they are treated by foreign travelers or writers as at all characteristic, or as implying any fault or defect in our social life.

We are unjust to ourselves in thus tolerating and apologising for transactions which cover us with black and deserved disgrace. We owe it to decency and to our National reputation, to clear our skirts from such defilement. It is folly to say that these cases are exceptional and cannot be prevented. It is not so. Congress itself,—the members of it who hold such acts in proper abhorrence,—could remedy them effectually, by letting that abhorrence be manifest. Let any man guilty of the gross indecencies which marked Herbert's demeanor at the outset of this affray be properly branded with the displeasure and the censure of his associates, and he would speedily learn that the conduct of a gentleman was a requisite of his position. As it is, the bully and the gentlemen are permitted to stand upon a common level. In this instance Herbert is surrounded by Senators and Members, countenanced by their attentions and aided in his efforts to escape responsibility for having shot an Irish waiter. That he will be subjected in any case to more than a nominal punishment, is not anticipated by anybody.

Of course the primary responsibility for the presence of such men in our public councils rests with the constituencies who send them there. In that quarter no remedy can be applied except what would grow naturally out of the subordination of party considerations to the dictates of honor and morality. Now, whenever a bully or a blackguard compasses a nomination for Congress, (as he almost always can with the existing machinery of political conventions,) every member of his party feels bound to vote for him. The time may come when voters may feel some degree of responsibility for their acts, instead of feeling relieved from it by the vicarious interposition of party machinery. Whenever that day shall arrive, we may look for better men in our public councils.

LATEST INTELLIGENCE

By Telegraph to the New-York Daily Times.

Magnetic Telegraph Co.'s Offices—3 Hanover-st., and 121 Broadway
Home Printing Telegraph—Office No. 21 Wall-street.

INTERESTING FROM WASHINGTON.

Appointment of a Commissioner to Panama.—Minister Dobels and the Shooting Case.—Mr. Fuller's Speech.—Rumored Refusal to Recall Mr. Crampton.

Special Dispatch to the New-York Daily Times.

WASHINGTON, Sunday, May 11.

I learn to-night that Amos B. Corwin, of New-York, formerly Consul at Panama, has been appointed by the President a Commissioner to proceed to Panama to inquire fully and take testimony relative to all the facts connected with the recent massacre and robbery of Americans there. He will sail on the 20th, and will be joined at Panama by Minister Bowlin, from Bogota. The appointment is highly judicious.

Public sentiment indignantly condemns Minister Dubois for his refusal to testify in the Herbert shooting case.

Mr. Fuller's speech yesterday was masterly and eloquent. It was also a generous self-sacrifice, to save his Southern friends who sustained him for Speaker. It is also deemed a fatal blow to Buchanan's nomination, because it presents pointedly his late heresies in behalf of Freedom.

We have rumors that a dispatch has been received from Lord Clarendon, declining to recall Mr. Crampton, but I cannot trace it to-night to a reliable source. S.

Proposed Amendment of the Patent Laws.

WASHINGTON, Saturday, May 10.

General James, as was briefly stated in a dispatch, yesterday reported a bill, by the unanimous consent of the Senate, relative to Patents. We understand that the Committee, after closely investigating the subject, submitted the bill to the scrutiny of the Commissioner of Patents and several of the Judges of the Supreme Court, under whose advice it was perfected and presented to the Senate. Its object is to protect the public on the one hand against the oppressive use of invalid patents, and the really meritorious inventor from the piracies of dishonest infringers. It is held that many patents are now invalid, and yet the public submit to them rather than incur the cost of litigation. Under this bill patents may be repeated once for all, and the public then be relieved. Now, it is assumed, thousands of patents are issued, which, being of no value themselves, stand in the way of really valuable inventions. Under this act all such patents will go out of existence in five years, and thus cease to block the way of others more valuable. Patents under the existing law, are extended to twenty one years by the Commissioner of Patents, and sometimes Congress is applied to for further extension. Under the proposed bill all patents are issued for five years in the first place, and may then be extened fifteen years more, at the option of the patentee—In all, 20 years, after which no extension can be had, thus relieving the Commissioner and Congress from the vexation of applications. In order to finally settle the question of extensions, and to deal equally with all inventors, all patents now in existence are placed upon the same platform as those to be granted under the bill, and subject to the same process for repeal by any one who may be injured by them. Under the present law no patent is allowed for inventions produced in another country, in consequence of which foreign improvements find their way very slowly here, but the proposed bill allows a seven years' patent to the introducer of a foreign invention. This, it is thought, will afford Americans sufficient inducement to go abroad and acquire a knowledge of secret arts which now give foreign countries great advantages over us in manufacturing.

The report of the Committee is unanimous, and every section of the Union is represented in it, as follows: Messrs. James, Rhode Island; Pearsons, Maine; Evans, South Carolina; Thompson, Kentucky; Brown, Mississippi, and Stuart, Michigan.

Mr. Fuller's Speech—100,000 Copies Subscribed For.

WASHINGTON, Sunday, May 11.

The speech of Mr. Fuller, in the House, yesterday, produced considerable sensation. It is pronounced by his friends exceedingly able, and 100,000 copies were subscribed for before the House adjourned.

The Machinery of the Steamer Merrimac.

WASHINGTON, Saturday, May 10.

The *Union*, this morning, gives a semi-official contradiction to the reports relative to the steamer *Merrimac*. Her machinery has been pronounced eminently successful.

XXXIVth CONGRESS.—First Session.

HOUSE OF REPRESENTATIVES.

WASHINGTON, Friday, May 9.

To-day's is the first Saturday session since the organization of the House.

The roll-call showed but 187 members in attendance, but more afterwards came in, and on Thurman's motion was made to adjourn.

THE SLAVERY QUESTION.

Mr. Fuller, of Pa., defined his position, past and present, on the Slavery question, drawing broad national principles, and stigmatising as forgeries certain publications attributing to him extreme Northern views. He exposed what he characterized as the marked inconsistencies of Mr. Buchanan, and referred to documents to show that prominent Pennsylvania Democrats—some of them delegates to Cincinnati—were tainted with Free-Soilism.

Mr. Toombs, of Ga., explained why he ceased voting for Mr. Fuller as Speaker. He said it was because he had made a mistake in believing Mr. Fuller as good an Anti-Nebraska man as Mr. Banks.

Mr. Jones, of Pa., gave notice of his intention to reply to the speech of Mr. Fuller.

Mr. Jones, of Tenn., having published in his late circular to his constituents certain remarks against Slavery attributed to Mr. Fuller, and which Mr. Fuller denounced, to-day, as forgeries, interrogated the latter concerning the sentiments therein expressed.

Mr. Jones did not declare himself satisfied with the response of Mr. Fuller.

Adjourned.

Non-arrival of the Atlantic.

SANDY HOOK, Sunday, May 11—10 P. M.

There are, as yet, no signs of the *Atlantic*, now in her 12th day out from Liverpool. It is a very fine night, with a light South wind.

Arrival of the Camels.

BALTIMORE, Saturday, May 10.

The U. S. ship *Supply*, with the camels contracted for by Government for military service, arrived off Saluda, Texas, on the 30th ult.

Personal.

Bishop of Texas.—On the 12th ult., at Galveston, Texas, Rev. Arthur Cleveland Coxe was unanimously elected Bishop of Texas by the Convention of the Protestant Episcopal Church of that diocese.

Death of Mrs. Rusk.—The wife of Senator Rusk, of Texas, died at Nacogdoches on the 25th of April.

The Distance Lends Enchantment to the View.—The Richmond *Enquirer* says of Mayor Wood, "of all the public men of this country, he enjoys the most substantial and genuine reputation—*a reputation which he has won by the display* of an extraordinary talent for administration."

Temperance Convention.

The Executive Committee of the State Temperance Society invite a general attendance of members at the regular semi-annual meeting of the Society, to be held at Albany on the 12th of June. The principal object of the meeting will be "to consult upon the new duties and future policy of the friends of the common cause; and to join in declaring with just emphasis their principles and purposes to the State and the world."

☞ We are informed, by a gentleman who desires the correction made public, that our notice of the examination of the School on Randall's Island was erroneous, in saying that the present Warden had made any change in the mode of ventilating the rooms, or that he had any connection whatever with the management of the School—which is under the exclusive control and supervision of the school officers of the Twelfth Ward.

THE ANNIVERSARIES.

American Baptist Home Mission Society.

SECOND DAY.

The Society met again on Saturday, at 9½ o'clock A. M. A hymn was sung, and Rev. Dr. Swain, of Massachusetts, offered prayer.

Samuel Colgate, Esq., Recording Secretary, read the minutes of the previous meeting, which were adopted.

Rev. Thomas Armitage, D. D., then presented the Report of the Committee on Missions. The Report compared the advantages of the missionaries of the present day with those of the earlier fathers. The printing press, the electric wires, and the other improvements of the present age, give great facilities for spreading the Gospel throughout the world, which should render the labors of Christians for the evangelization of the human race eminently fruitful.

Rev. Mr. Read, of New-Mexico, moved the adoption of the Report in a brief address.

Rev. Dr. Hodge, of New-Jersey, opposed its adoption on the ground that it was too long to be printed.

Rev. Dr. Armitage stated that the report was intended as a substitute for several smaller ones which were usually made.

It was moved that the report be recommitted for abbreviation, which, after some discussion, was withdrawn, and the report was adopted.

The Committee on the Church Edifice Fund next reported through its Chairman, Rev. L. G. Hodge, of New-York, that unless larger contributions were received to be appropriated to this fund, the enterprise would suffer. It was to be hoped that the requisite money would be speedily advanced. The report was laid on the table. Rev. Mr. Clapp, from the Committee on Obituaries, reported that forty-eight members of the Society had died since the last anniversary. The report was accepted with a slight amendment.

Rev. Dr. Hodge presented a resolution that "it was not the sense of the Society that the Executive Board had a right to draw up a bill of fare and make the Society eat it down."

Rev. Dr. Howard, of Vermont, thought the resolution had better be withdrawn. They did not do things in this way where he lived. He felt that they on the hills of Vermont were considerably above some of the worms that crawl about here.

Rev. Dr. Hodge supported his resolution. There seemed to be a tendency to concentrate too much power in the hands of the Board. They had no right to appoint the Committee; that was the duty of the President.

Rev. Benjamin M. Hill defended the Board. It had not usurped the powers of the other officers.

Rev. O. B. Judd, LL. D., proposed the following amendment:

Resolved, That no appointment to be made at the anniversary meetings of this Society be previously determined by the Board of Managers.

Rev. Dr. Miller was opposed to anything that savored of ecclesiastical monarchy. He was in favor of the resolution just offered by Dr. Judd. He spoke for those from the rural districts who were left in the back ground by the manner in which matters were "cut and dried" by a minority of the Society. The resolution as amended was passed.

A motion of Rev. Dr. Gilbert that the resolution should not be entered on the minutes was laid on the table.

The report of the Committee on Rooms was read by Rev. J. R. Stone of Rhode Island. The Committee had disagreed and sent in majority and minority reports referring the whole matter to the Society.

A motion was made to remove the Society from the City of New-York. Rev. Dr. Magoon spoke eloquently in favor of this proposition. There were better meetings and more hospitality in the West than here. He was loudly applauded, "right in meeting."

A motion to refer the subject to a Select Committee was lost, and the Report of the minority was finally adopted.

Rev. Mr. Parkhurst of Massachusetts, then offered prayer, and the morning session closed.

AFTERNOON SESSION.

In the absence of the President the Society was called to order at 3 o'clock, P. M., by the first Vice-President, Wm. Colgate, Esq.

The meeting was opened with the usual religious services.

Rev. J. H. Kennard offered prayer.

The Secretary read the Records of the morning session, which were approved.

Rev. D. G. Corey proposed some amendments to the Constitution of the Society, which after a short discussion were laid over until the next anniversary meeting.

The Report of the Committee on the Church Edifice Fund was now brought under consideration, and after a desultory debate was accepted.

The members of the Committee on Rooms, with one exception, offered their resignations to the Society, stating that they had determined on this course when the Society had refused to accede to their request that the restrictions which it had placed on their action should be removed. A motion to accept their resignations was laid on the table.

The report of the Committee appointed to ascertain the number of members present at the meeting which was next presented by A. P. Mason, Esq., showed that their number was over 200.

It was moved, seconded and carried that the thanks of the Society be presented to Rev. J. R. Stone, of Rhode Island, and M. B. Anderson, President of Rochester University, for their admirable addresses on the previous evening, and that their speeches be printed with the annual Report.

The thanks of the Society were also, on motion, presented to the Oliver-street Church, for the hospitalities which had been extended to the Society.

Prayer was then offered by Rev. Mr. Weeks, and the Society adjourned *sine die*.

Delegates from all parts of the United States were present at the annual meeting of this Society, many of whom are men of the first standing in the districts which they represent.

American Baptist Missionary Society.

This Society held its annual meeting on Saturday evening at Calvary Baptist Church on Twenty-

Baptist Publication Society.

The annual sermon of this society was preached yesterday morning by the Rev. Dr. Ide at the Baptist Church, (Rev. M. Tatem's,) Strong place, Brooklyn. The morning being fine after a week's rain, the attendance was very full.

The subject was—"the year of jubilee;" the text, Leviticus 25, 9—"in the day of atonement shall ye make the trumpet sound throughout all the land." The Rev. Doctor spoke of the institution as emblematical of spiritual restoration by the gospel. We value civil freedom, but what is mere political liberty compared with emancipation from the condemnation and power of sin wrought out for humanity by the death of the Redeemer? It was typical of the harmony and peace, political and religious, which the general diffusion of Christianity was destined ultimately to produce; and it was the duty and privilege of every one to be instrumental in its diffusion.

Central American Education Society.

Last evening, the anniversary Sermon of this Society was delivered at the Church of the Puritans (Dr. Cheever's), by Rev. Thomas Skinner, D.D., LL. D.

The doctor's discourse was founded on two passages of Scripture—the first in 2 Cor., iii., 5 and 6—"Who hath made us able ministers of the New Testament:" the other, Romans, x., 15—"I magnify mine office." He observed that the ministry is not external to the church, but an integral part of it. The church is not of the ministry, but the Christian ministry is of the church—not lords over God's heritage, but laborers. The doctor then contrasted by description the varying conceptions of the Romish and Protestant communions on this subject, and noted the influence of the ministry as an early and active instrumentality in various and specific works of evangelism.

The latter part of the discourse was directed against the spirit which to the Doctor's apprehension serves to displace the ministry and extend to it only a secondary importance, below that of the active lay agency employed in the evangelization of the world. He deplored this, as a departure from the original plan whereby, "through the foolishness of preaching," God had arranged to "save those that believe."

American Woman's Educational Association.

This Society was well represented on Saturday, at Mrs. Prof. Wilbur's, No. 14 Lexington-avenue.

The Chair was occupied by B. W. Bonney, Esq., and the services were opened by prayer, by Rev. W. L. Parsons.

The Treasurer's report was then read, showing a balance on hand of some $1,700, and subscriptions of $5,000 beside.

The fourth annual report of the Association was read by the Corresponding Secretary, in which the characteristic ideas and objects of the Society were ably set forth.

An interesting and encouraging letter was also read from Mrs. E. J. Hale, of Philadelphia.

No effort was made to raise funds, but one lady handed the Corresponding Secretary $50, and a communication was read from another, offering a subscription of $1,500 towards the first endowment.

The agent of the Association is Rev. William L. Parsons, whose office is with Messrs. C. W. Fields & Co., No. 11 Cliff-street, to whom contributions, in large sums or small, may be sent.

NEW-YORK CITY.

Trial of Capt. Tinklepaugh.

The trial of Capt. Tinklepaugh was resumed on Saturday, at the United States Circuit Court, Mr. Joachimsen replying to Mr. Clerke's speech for the defence on the previous day. He was followed by Mr. Cutting for the defence, the United States District Attorney, Mr. McKeon, closing the argument for the prosecution. The Jury not agreeing at a late hour, Judge Betts ordered them to be kept together until this (Monday) morning, unless they agreed in the meantime, in which case they might bring in a sealed verdict and return to their homes.

The Judge allowed Capt. Tinklepaugh to go to sea in the steamer *Orizaba*, which was under his command, and was waiting, with all her crew and passengers on board, for his arrival. Mr. Whits became surety for his appearance, on his return to the port, in the event of his conviction by this Jury.

Departure of the Orizaba—Fifty Fillibusters on Board.

The *Orizaba* left her pier, foot of Beach-street, last Saturday at 4½ P. M., on her second trip for Nicaragua. Capt. Tinklepaugh, her commander, whose trial terminated on Saturday in the United States Circuit Court, on the charge of having obstructed the United States officers in their detention of the *Northern Light*, left in the steamer, together with some fifty recruits for Gen. Walker's army. The *Orizaba* was advertized to leave at 3 o'clock. The delay till 4½ P. M. was caused by waiting for the verdict of the Jury in Capt. Tinklepaugh's case. The Jury not agreeing upon a verdict, Judge Betts, as we have stated, allowed him to leave in his vessel, after the execution of bonds for his return.

The steamer lay, from 2 o'clock [illegible] was the scene of considerable excitement. Conflicting rumors were afloat as to the detention of the steamer by the United States authorities, and could not go. Others asserted that they were waiting the arrival of a large store of war munitions that had been secretly got together since the late meeting at the National Hotel, and a lot of volunteer fillibusters to bear them company. The steamer had neither been seized by the United States, nor did there arrive after 3 o'clock any cannon, rifle balls, bowie knives, or formidable force of fillibusters. All the passengers who left were booked before 3 o'clock, and all baggage was on the steamer by this hour. Captain Tinklepaugh's appearance, the only thing waited for, and only cause of delay, as it proved, was the signal of immediate departure. The steamer was detached from her moorings, and in ten minutes, with firing a single gun, had rounded her pier and was steaming her way gallantly out the harbor. Of the passengers, it is said, some fifty were destined for Gen. Walker's army, though it was pretended that unusual caution was used as to allowing parties tickets in the slightest degree suspected of fillibustering proclivities. Among the passengers were Captains Rimes, and Wilson, and Levi G. W. Hyggins, of the Nicaraguan army; Mr. Mansville, of Mansville Motel, Granada; and Mr. J. C. Hermida, one of the parties arrested on the *Orizaba*, as she started on her last trip, and recently discharged after an examination before United States Commissioner Morrox.

The Board of Supervisors.

The Board of Supervisors (No. 2) attempted to hold a meeting on Saturday afternoon according to adjournment. Supervisor Varian took the Chair, and the Deputy Clerk of the regular Board called the roll with the following result:

Present—Supervisors Clancy, Steers and Varian.

Absent—Supervisors, the Mayor, the Recorder, Brown, Corwin, Moser, Hoffmire, Fox, Tucker, Yourkis, Griffiths, Jackson, Briggs, Monaghan, Barker, Fulmer, Ely, Valentine, Herrick, McConkey and Drake.

There being ten members less than a quorum present, Supervisor Varian declared Board (No. 2 to stand adjourned until Monday, at 4 P. M.

City Mortality.

The City Inspector reports 364 deaths in the City during the past week—an increase of 21 on the previous week. Of the whole number of deaths, 43 were from consumption; 26 from scarlet fever; 18 from small-pox; 10 from some disease "unknown;" and 9 from measles. Only 9 persons died of old age.

☞ The owner of cart No. 4,848 desires us to say that the gentleman who complained at the Mayor's Office that an article intrusted to his care had not been delivered, is mistaken; that when he gave him his card and number he was informed by the gentleman that another carman had been engaged.

☞ By the ship *Margaret Ellen*, Capt. Upton, 46 days from Buenos Ayres, we have received files of the *British Packet* and *La Tribune* to the 19th of March. They contain no news of special importance.

☞ The Parish will case was again before the Surrogate on Saturday, but little headway was made.

☞ The five Sub-Post Offices spoken of some time ago as about to be established at convenient points in the City, have go ne into operation.

BUSINESS NOTICES

WE NOTICE THAT THE LARGE AND VALUABLE stock of pier, oval, French plate and other mirrors, together with all paintings by the best European masters, are to be sold by Messrs. HOUGHTON & HELBOR, Auctioneers, at No. 189 Fulton-st., TO-DAY and TO-MORROW, (May 12th and 13th,) at 10½ o'clock. There was a rush on Saturday, when some of our friends made great bargains. Such chances very seldom occur.

HERRING'S PATENT CHAMPION SAFES.—THE above-named celebrated Safes, with Hall's Patent Powder-Proof Lock, are on hand in large assortment, at all sizes and other Safes, hence the name of CHAMPION.

The citizens not only of the United States but the world are informed, that HILAS C. HERRING did not relinquish the making and selling of Wilder's Patent Salamander Safes in consequence of the recent burglary carried on and perpetrated on the premises of E. R. Wilder & Co., but for the reason that a substantial and better Safe (and patented,) capable of resisting a much greater degree of heat, and perfectly free from dampness, (a great objection to Wilder's Patent Safes,) And as if one fire, and ever will suit me, to supply the public with the most reliable Safes in the world, I have spared no pains or expense to procure the services of the late proprietors of Wilder's Patent Safes, (Messrs. Carman & Co.,) who, by General Walker, and with the aid of several hundred of his men and about fifteen hundred of the citizens of this City, were carried towards Lake Nicaragua. On his arrival at the frontier, he made a request, that he might come disgusted with the conduct of his men there, and with the patriotic remark, that he would not be instrumental in bringing such misery upon his country, he suddenly left, and is now in London.

The question whether or no Honduras will join in the league against Walker is not yet decidedly settled. The President and his Cabinet are in favor of the measure. In case of their joining, there would, perhaps, bring into the field 1,000 men. With the exception of this, the Province of Honduras is more quiet than it has been for a number of years. Americans, who were formerly great favorites in that Province, are now looked upon with suspicion, owing, it is said, to some of the late proceedings of the Walker party. Many fled from Honduras, and are narrowly watched to see if they return with them armed to the teeth, or weapons of war. Besides, it is stated in Honduras that a spirit is spreading against Walker, and will probably bring a large force into the field.

Of late a number of Americans have been attracted to the Province of Olancho, Honduras, by the reports of gold mines, and gold has been found, but not in sufficient quantities to satisfy the sanguine and a number had ventured Ounce on their return. Several Americans had, however, commenced the undertaking of turning the bed of a river, when there was an ebb, in the hope of finding a large deposit of gold there. Should they fail, they would all return to their country.

HOSTETTER.

Three bottles of Hostetter's Celebrated Stomach Bitters will cure the Dyspepsia.

One Bottle of Hostetter's Bitters wards off an approaching fever, or the impure bile, purifies the blood, and invigorates the system.

Two Bottles of Hostetter's Bitters will cure the worst forms of Liver Complaint.

One Bottle of Hostetter's Bitters will invigorate the weak one at the pit of the Stomach, will give color to the countenance, impart tone and vigor to the system, and lend cheerfulness to the mind. No one can be long subjected to the depressing influences of fever and ague, no family should be without it. Sold by all Druggists, Grocers, and Hotels. HOSTETTER, SMITH & CO., Cincinnati; BARNES & PARK, Board Sweepings, New-York; and HIR. HAYES, No. 199 Water-st., Brooklyn.

RAILROAD FREIGHT DEPOT BURNT.

NEW-YORK, May 2, 1856.

Messrs. Starrs & Marvin: *Gentlemen*:—On the morning of the 1st inst. the freight office, with a portion of the Four-story Brick depôt of the New York and New-Haven Railroad, was entirely destroyed by fire.

One of your Wilder Patent Safes, purchased by the Company August 19, 1852, fully sustained its reputation as a fire-proof article, by preserving its contents in excellent condition the books, papers and other valuables it contained.

The test was a severe one. The interior was made complete. Respectfully, CHAS. DOOLY, Jr.,

Freight Agent N. Y. & N. H. Railroad.

These Safes secured by our "La Salle" lock, for sale by STEARNS & MARVIN,

No. 40 Murray and No. 144 Water-st.

* Exposed 18 hours.

DR. LEVETT, DENTIST, HAVING SECURED THE right or use of a method of removing TEETH AND ROOTS by a local benumbing application, without much pain or injury to the patient, and great friend of suffering in the extraction of teeth, is now prepared to insert, on the quieting artificial teeth of wonderful dimensions of Dr. LEVETT'S great experience in that specialty. Established 1835. No. 13 Waverley-place, one block east of Broadway.

ELEGANT CARPETINGS.

SMITH & LOUNSBERRY, NO. 398 BROADWAY, are now prepared to exhibit their new Spring styles of Brussels, velvet tapestry, Brussels, 3-ply, and ingrain carpetings. Among the assortment will be found a large variety of new designs and styles never before offered; also, a large stock of oil cloths, of every width, and all other goods connected with the trade.

DR. TOBIAS' VENETIAN LINIMENT DEPOT IS removed to No. 56 Cortlandt-st. This celebrated remedy is warranted to cure cholera, dysentery, sore throats, chronic rheumatism, pains in the limbs, chest and back, cuts, burns, old sores, &c. Price 25 and 50 cents. Sold by all the Druggists—where, also, can be obtained Dr. TOBIAS' HORSE LINIMENT, warranted superior to any other, or no pay. Pint bottles, at 50 cts.

JOUVEN'S INODOROUS PREPARATION instantly cleans kid gloves, without the slightest smell. Rub with a piece of flannel and the grime forthwith disappears. Can be worn immediately afterwards. One bottle is warranted to clean 50 pair. Price 50 cents. Agents wanted. CONTENT, NEARY & CO., No. 403 Broadway.

P. DEVLIN & CO.—BEG TO STATE THAT THEIR wholesale and retail departments are now completely stocked with their late and choicest styles of Spring and Summer clothing—and their custom department (second floor) with the newest importations of cassimeres, vestings, coatings, &c.

Nos. 359, 359 and 359 Broadway, New-York.

I COME TO SAVE, NOT TO DESTROY.—BELLIGHT'S SPANISH LUSTRAL will surely make the hair grow on bald heads, restore it to gray, and prevent the premature decay. For a toilet article it is very superior; it takes the lead of all other preparations, where it is known. Prepared by J. C. WADLEIGH, Lawrence, Mass. Sold in New-York by BARRIE & PARK.

CHRISTADORO'S HAIR-DYE, WIGS AND TOUpees stand preëminent above all competition. A saloon of elegant private rooms for applying his Hair-Dye, the greatest standard article of the kind. His new Dye for wigs and toupees are perfection itself. Wholesale and retail at CHRISTADORO'S, No. 6 Astor House.

BATCHELOR'S HAIR DYE—THE ORIGINAL AND Reliable. The delicate tints and shades of the original Hair are produced by this splendid Dye. Made and sold at BATCHELOR'S Wig Factory, No. 233 Broadway.

FOR PIANOS, MELODEONS AND MUSIC, CALL on HORACE WATERS, No. 333 Broadway, Agent for the best Boston and New-York Instruments, who is now selling an entirely new stock of superior Pianos and Melodeons at greatly reduced prices. Second Pianos to rent. Rent allowed on purchase.

WIGS, WIGS, WIGS.—BATCHELOR'S WIGS AND Toupees have never been excelled in all the qualities of a good wig, and are universally admired all over the world for their graceful beauty, ease and durability, adapting themselves to the head with the pliancy of an old friend, to a charm. The largest and best stock to select from. Made and sold at BATCHELOR'S, No. 233 Broadway.

GOLD PENS.—HUNDREDS OF GOLD PENS sold daily in this City at prices fifty per cent less than TITTLER is asking for an equally good article. Call and judge for yourselves at the Cheap Store, No. 376 Grand-st., near Norfolk-st.

GOOD TAPESTRY BRUSSELS at 4[illegible]

CARPET WAREHOUSE

Young & Jaffe,

No. 264 Broadway, cor. Chambers-st.

FAIRBANKS' SCALES OF EVERY DESCRIPTION, standard weights and measures, for sale at the lowest wholesale and retail prices, at the manufactory, FAIRBANKS & CO.'S

CLARK'S SPOOL COTTON

[illegible] has the name of WILLIAM CLARK & CO. on each spool. No. 27 Mercer-st.

FINE ARTS.

Choice voyage of life.

"A THING OF BEAUTY IS A JOY FOREVER."

FROM AUCTION—
30,000 YARDS
RICH CHALLIE DE LAINES,
worth 8c. 6d.

FROM AUCTION—
A SUPERB ASSORTMENT OF
RICH SILK TISSUE DRESSES
At 5c. 6d. per yard,
worth One Dollar.

FROM AUCTION—
RICH SILK TISSUE DRESSES
1.00
SLIGHTLY DAMAGED.

FROM AUCTION—
HEAVY SILKS,
Five styles,
PLAID AND STRIPE LUSTRES,
RICH PLAIN AND STRIPE SILKS,
At cents per yard.

FROM AUCTION—
5 CASES,
LATEST STYLES
RICH PLAID AND STRIPE SILKS,
At cents per yard.

FROM AUCTION—
A CHEAP PURCHASE OF 2000 YDS
RICH SILK AND LACE MANTILLAS,
FASHIONABLE SHADES,
Worth 50c. 75c. and $1 per yard,
A GREAT SACRIFICE ON COST.

FROM AUCTION—
1,500 PIECES
FANCIAN MOOR
RICH SILK AND LACE MANTILLAS,
Worth 50c. 75c. and $1 per yard,
1.00 RICH STELLA CHAVIA,
THE FOLLOWING CHOICE BARGAINS
FROM AUCTION
ON MONDAY, May 18,
At 10 o'clock precisely.

FROM SILK SALE OF WASHINGTON SALE
OF WASHINGTON, MAY 9.
BOWMAN & DWIGHT.

DRY GOODS.

TO THE UNKNOWN ONE I ADORE."

We met but once—but once we met—
And yet that once was not to forget!
Ah! those looks and pleasing grace
His noble face and pleasing grace
Last thus in me an image fixed,
Like shrine in which I bow and kneel!
Yet well I know this quality fixed,
For such a beauty claims devotion!
Like shrine in which I bow and kneel!
Like shrine in which I bow and kneel!
**Like shrine in which I bow and kneel

FOR SALE.

FOR SALE by CORNING & STEPHENSON, 48 Wall-st., corner of New-st. One dozen first-class Second-hand Pianos, from $75 to $250. Also, a few new Pianos, of first-class manufacture, will be sold at a great sacrifice. Price $175. Also many dozens of Counter Scales and Beam, in different sizes for sale, or will exchange for City property.

HOUSE AND SALE OR EXCHANGE.—The three-story and basement brown-stone front house in First-st., Williamsburg, near the Ferry. Rent $350. Also, the two-story and basement frame house in Second-st., Williamsburg. Apply to CHARLES HILLS, 48 Wall-st., New-York, or 48 Second-st., Williamsburg.

HOUSE FOR SALE, TO LET, OR TRADE.—The three-story, basement and cellar brick house, No. 48 Fifth-st., Williamsburg, near the Ferry. Rent $350. Also, the two-story frame house, No. 48 Second-st., Williamsburg. Apply to CHARLES HILLS, 48 Wall-st., New-York, or on the premises.

HOUSE FOR SALE.—In 10th-st., A fine four-story and basement brown-stone house, with all the modern improvements. House 22 by 50 feet; let 1856 and 1857. Apply to A. M. THORP, Jr., 191 Broadway.

HOUSES AND STORES FOR SALE OR TO LET.—Large dwelling houses and store at the depot of the Harlem Rail-road, Morrisania, Westchester County. Apply to WM. H. POPHAM, No. 24 Pine-st.

COUNTRY PLACE NEAR THE CITY.—A country residence, property in Westchester County, consisting of about 10 acres of excellent land on the Bronx River, one mile from the Harlem Railroad. On the premises there is an excellent water-power, with dams already constructed; a large dwelling house in perfect order, and three small dwelling houses, together with extensive stone barns, and other outbuildings—whether for the purpose of a large manufacturing business, or for the residence with extensive grounds, fish pond, &c., or for villa sites or speculation and the building up of a village, this property is one of the most desirable to be found. Title perfect, and terms of payment very easy. N.B.—Would be divided to suit applicants.
A. J. BLEECKER & CO., No. 7 Broad-st.

COUNTRY RESIDENCE FOR SALE.—Pleasantly situated within a quarter of a mile of the village of Greenburg, Conn., and three-quarters of a mile from the railroad depot, commanding a fine view of the Sound, Long Island Sound. Said place consists of a large dwelling house, finished with all the modern conveniences and in the best manner, and in modern style, and in good repair; barn and carriage house, with horse-stalls, &c. Possession given immediately, if required. For further particulars, inquire of EDWARD MORGAN, No. 2 Metropolitan Bank Building.

COUNTRY RESIDENCE FOR SALE.—Pleasantly situated in the County of Essex and State of New-Jersey, within one mile of the Morris and Essex Railroad depot, Orange. The Farm contains about forty-five acres of the first quality of land; the buildings are all new, with an abundance of shade and fruit trees. A part of the purchase money may remain on bond and mortgage for a term of years. For particulars, inquire of EDWARD FISHER, Nos. 17 and 19 Warren-st., or of MARTIN FISHER, No. 29 Water-st., New-York, or of the subscriber on the premises.
DANIEL SQUIER.

COUNTRY PLACE FOR SALE.—Beautifully situated on the Hudson, about twenty miles from the City, is offered, and if not disposed of before will be sold at auction, on the premises, on THURSDAY, May 15, at 12 o'clock M. The house is large and convenient, and is built in a substantial manner, with all the modern conveniences, and is in perfect order. The grounds are tastefully laid out, with the choicest fruit trees, grape vines and small fruits in full bearing. The property is well adapted for a gentleman family wishing a healthy and pleasant residence, or for a private boarding-school, for which purpose it is unsurpassed by any place on the Hudson; it is two hours by railway from New-York. Such portions of the above not disposed of at private sale, will be offered at auction on the premises, at 12 o'clock M., on THURSDAY, May 15. For terms and all other information, inquire of ADRIAN H. MULLER, No. 26 Wall-st.

A BEAUTIFUL BUILDING SITE FOR SALE.—Situated at Great Neck, L. I., adjoining Cow Bay, and containing about five acres of land. It has a gradual slope to the shore, with a fine water front. Unbuilding carriage or pony water are near, which can be led to any part of the premises, and supply a pond if required. It is healthy, and for retirement, and other quiet enjoyments cannot be surpassed. Three places of public worship, and two daily conveyances to the City within two miles. The premises once part of the farm lately owned by James W. Wolf, deceased. For further particulars apply to the subscriber, on the premises, or to WM. H. ONDERDONK, No. 29 Nassau-st., on Wednesdays.
WM. J. MOTT.

ELEGANT COUNTRY RESIDENCE FOR SALE.—With furniture, carriage, &c., and twenty acres of land, on the banks of the Raritan, Newbury, Middlesex County, N. J., a magnificent view. A photograph of the place, which will be sold low, can be seen at the office of F. D'HERVILLY, 18 Exchange-place.

BEAUTIFUL COUNTRY SEAT AND BUILDING LOTS FOR SALE.—Consisting of 20 acres of the best land. The house is spacious, well built and is pleasantly shaded by 4 acres of large shade trees, combining it a delightful and healthy residence for a gentleman doing business in the City, being only 16 miles by rail-road. Apply to SAML. S. AYMAR, Brush-ville, Bergen County. A greater part of the purchase money can remain on bond and mortgage.

FOR SALE.—A DECIDED BARGAIN.—A beautiful country residence at Astoria, L. I., about two acres, with a dwelling house thereon, 30 by 32 feet, with extended ells, &c. Has four rooms and bath on the first floor, and five rooms and closets on second floor; an abundance of choice fruit, fine garden and lawn, with shade trees, evergreens and shrubbery, and flowers. Has a fine view of the river and Bay, and only seven miles from New-York and two miles from the Astoria Ferry.
A. J. BLEECKER & CO., No. 7 Broad-st.

TO HARDWARE MERCHANTS.—A HOUSE FOR SALE—A GREAT BARGAIN—OR TO LET.—A three-story and brown-stone basement house, in South Brooklyn; 24,000 feet of ground; 100 feet front and rear; 240 feet deep. The balance will be taken in Hardware and Iron. Apply at No. 121 Smith-st., between Pacific and Pacific-sts., Brooklyn.

PLEASANT RESIDENCE FOR SALE OR EXCHANGE FOR CITY PROPERTY.—In Westchester County, one mile from Williams Bridge, with about 12½ acres of land attached. Two-thirds of the purchase money can remain on Bond and Mortgage. Inquire of EDWARD P. CLARK, Attorney and Counselor, No. 256 Broadway, New-York.

TO CAPITALISTS.—For sale, five or more very valuable three-story brick dwelling houses, in a good location, in vicinity of Madison-square; houses have all improvements, and are rented for one year to first rate tenants. Price, if three or more are taken, $6,000. R. R. KINSHIMER, 219 4th-av., 3 to 7 P. M.

FOR SALE, AT THE LAND OFFICE IN BLOOMFIELD, NEW-JERSEY.—Eleven lots, and a number of small farms, near the Bloomfield depôt. By WM. JENKINS, Agent.

TWELVE ACRES OF VERY CHOICE PLANE FOR SALE AT TARRYTOWN.—Upon the road adjoining the fine residences of Messrs. BROWN and Watson, and opposite the mansion of Mr. MASSEY, overlooking the entire village, and affording a delightful river prospect. As this property fronts on two roads, it can be well divided into several villa sites. Tarrytown, with its railroad depot, churches, stores and mail facilities, is considered the best location upon the Hudson for a residence. Apply to WARD DARCENTER, Tarrytown, or JOHN WARREN, No. 48 Maiden-lane, New-York.

HOUSES, &c., WANTED.

HOUSE WANTED IN BROOKLYN.—A genteel and convenient house for a small family; between Court and Atlantic sts., and within 5 to 10 minutes' walk of the Ferries. Rent about $300. Address (prepaid) Box No. 5,944 Post-office, New-York City.

DIVIDENDS.

PACIFIC MAIL STEAMSHIP COMPANY, New-York, May 7, 1856.

AT A MEETING of the Board of Directors of this day, a dividend of ten per cent out of the profits of the Company was declared payable to the stockholders on and after the 15th inst.

The books of books will be closed until that date inclusive.
FREDERIC HOFFMAN, Secretary.

NEW-YORK, May 1, 1856.

DIVIDEND.—The Trustees and Directors of the DELAWARE MUTUAL Insurance Company have declared a dividend of four per cent, payable on and after the 10th inst. The transfer books will be closed until the 10th instant. For order,
H. C. BRADFORD, Cashier.

TO LET.

HOUSES, STORES AND FURNITURE.—The Subscriber will sell at auction, on Tuesday, May 13, at 12 o'clock, at the Merchants' Exchange, the lease of the house and store No. 48 Pine-st., with the furniture therein. The house will be sold in parcels to suit purchasers. Also, the lease of the house No. 50 Pine-st., with the furniture therein. Also, the lease of the house No. 52 Pine-st., with the furniture therein. Also, the lease of the house No. 54 Pine-st., with the furniture therein. Also, the lease of the house No.

BUSINESS CHANCES.

NORTHERN TRADING OF AMERICAN
AGENCIES.—THE EXCLUSIVE COMMERCIAL AND MANUFACTURING AGENCIES OF THE LARGEST AND BEST ESTABLISHED HOUSES IN THE UNITED STATES, AND THE ONLY ONE HUNDRED-AND-ONE-DOLLAR SAMPLE TRUNK IN THE WORLD, ARE OFFERED BY THE NORTHERN TRADING AND MANUFACTURING AGENCIES, TO ENERGETIC AND RELIABLE MEN, WITH SMALL CAPITAL, WHO WISH TO ENGAGE IN A PROFITABLE AND HONORABLE BUSINESS. THE ONLY ONE HUNDRED-DOLLAR SAMPLE TRUNK IN THE WORLD

COMMERCIAL AFFAIRS.

Sales at the Stock Exchange, MAY 10.

For Notices see Third Page.

$5,000	New-York C. 7s, 1876	97	Hud. River R. R.
100 sh	Del. Lack. & W.	94⅝	do
100	do	94⅝	do
100	do	94⅝	do
100	do